

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEON DRUMMOND and LEE	:	
WILLIAMS, on behalf of themselves	:	
and all others similarly situated,	:	
	:	
Plaintiffs,	:	CIVIL ACTION NO. 21-4479
	:	
v.	:	
	:	
PROGRESSIVE SPECIALTY	:	
INSURANCE COMPANY and	:	
PROGRESSIVE ADVANCED	:	
INSURANCE COMPANY,	:	
	:	
Defendants.	:	
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YESHONDA DRIGGINS,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO. 22-1065
	:	
v.	:	
	:	
PROGRESSIVE ADVANCED	:	
INSURANCE COMPANY,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 14th day of June, 2021, the parties in *Driggins v. Progressive Advanced Insurance Company*, Civ. A. No. 22-1065, having filed a joint motion to consolidate cases and extend time in which to respond to the complaint (Civ. A. No. 22-1065, Doc. No. 13); and after a telephone conference with counsel, during which the court discussed, *inter alia*, the consolidation of the above-captioned cases; and counsel for all parties having agreed that the court should consolidate the above-captioned cases; and the court finding that consolidating these matters is appropriate; accordingly, it is hereby **ORDERED** as follows:

1. The joint motion to consolidate cases and extend time in which to respond to the complaint (Civ. A. No. 22-1065, Doc. No. 13) is **GRANTED**. The matters docketed in this court

as *Drummond, et al. v. Progressive Specialty Ins. Co., et al.*, Civil Action No. 21-4479 and *Driggins v. Progressive Advanced Ins. Co.*, Civil Action No. 22-1065, are hereby **CONSOLIDATED** for all purposes pursuant to Rule 42(a) of the Federal Rules of Civil Procedure;

2. *Drummond, et al. v. Progressive Specialty Ins. Co., et al.*, Civil Action No. 21-4479 shall serve as the lead case;

3. The lead case shall now bear the caption identified in the attachment to this order;

4. The plaintiffs, Leon Drummond, Lee Williams, and Yeshonda Driggins, shall have until **June 29, 2022** to file an amended complaint to reflect the consolidated allegations in the above-captioned actions, including the proper designation, identification, and joinder of the necessary parties;

5. The defendants shall have until **July 22, 2022** to file responses to the amended complaint, counterclaims, and any third-party complaints; and

6. The motion to stay, dismiss, or consolidate (Civ. A. No. 22-1065, Doc. No. 7) is **DENIED AS MOOT**; and

7. The clerk of court shall **CLOSE** Civil Action No. 22-1065.

IT IS FURTHER ORDERED that the joint motion for an amended scheduling order (Civ. A. No. 21-4479, Doc. No. 37) is **GRANTED**, and the court's January 24, 2022 scheduling order (Civ. A. No. 21-4479, Doc. No. 29) is **AMENDED** as follows:

1. The parties shall complete all fact discovery by **August 19, 2022**;

2. Counsel for the plaintiffs shall serve upon counsel for the defendants the information referred to in Federal Rule of Civil Procedure 26(a)(2)(B) by expert report or answer to expert interrogatory no later than **September 19, 2022**. Counsel for the defendants shall serve upon counsel for the plaintiffs the information referred to in Federal Rule of Civil Procedure

26(a)(2)(B) by expert report or answer to expert interrogatory no later than **November 7, 2022**; Counsel shall serve any rebuttal reports on counsel for every other party and shall conclude expert depositions, if any, no later than **December 7, 2022**;

3. The plaintiffs shall file a motion for class certification by **October 12, 2022**;

4. The defendants shall file their response to the motion for class certification by **November 21, 2022**; and

5. The plaintiff shall file any reply to the defendants' response by **December 21, 2022**; and

6. The parties shall communicate directly with U.S. Magistrate Judge Hey's chambers if they wish to reschedule the settlement conference currently scheduled for **July 6, 2022**, at **9:30 a.m.** before Judge Hey.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.

ATTACHMENT

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEON DRUMMOND, LEE WILLIAMS,	:	
and YESHONDA DRIGGINS,	:	
on behalf of themselves and all others	:	
similarly situated,	:	
	:	
Plaintiffs,	:	CIVIL ACTION NO. 21-4479
v.	:	
	:	
PROGRESSIVE SPECIALTY	:	
INSURANCE COMPANY and	:	
PROGRESSIVE ADVANCED	:	
INSURANCE COMPANY,	:	
	:	
Defendants.	:	